

IN THE MUNICIPAL COURT OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL CITY OF McMinnville

City of McMinnville

Case No: _____

v.

**MOTION TO VACATE USE OF IID AS
CONDITION OF DIVERSION AGREEMENT,
and DECLARATION IN SUPPORT**

DUII Diversion

Defendant

MOTION

I am the defendant in this case. I ask the court to vacate the condition of my diversion agreement requiring me to install and use an approved ignition interlock device.

DECLARATION IN SUPPORT

☐ **I qualify for a medical exemption under Oregon Department of Transportation rules (see the medical exemption form provided)**

OR

☐ **All of the following conditions are true:**

- I installed an approved IID in accordance with the diversion agreement I entered into on
(date): _____
- I used the approved IID for at least 6 consecutive months since the date of installation, which was (date)
- I submitted to the court a certificate from the IID service provider that the device has not recorded a negative report for at least 6 months
- I have entered into and am in compliance with any treatment I may have been required to participate in as a condition of my diversion agreement

Other information: _____

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Date

Signature

Name (printed)

Address

City/State/Zip

Phone